

C I T Y P L A N N I N G C O M M I S S I O N M I N U T E S

F E B R U A R Y 1 6 , 2 0 0 6

The regular meeting of the City Planning Commission and public hearing convened at 1:31pm in the City Council Chambers, 333 W. Ocean Boulevard, Long Beach, California.

PRESENT: COMMISSIONERS: Matthew Jenkins, Charles Greenberg,
Charles Winn, Morton Stuhlbarg,
Nick Sramek

ABSENT: EXCUSED: Leslie Gentile, Mitch Rouse

CHAIRMAN: Matthew Jenkins

STAFF MEMBERS PRESENT: Suzanne Frick, Director
Carolyn Bihn, Zoning Officer
Angela Reynolds, Advance Planning
Lynette Ferenczy, Planner
Jayme Mekis, Planner
Lemuel Hawkins, Planner

OTHERS PRESENT: Mike Mais, Deputy City Attorney
Steve Gerhardt, Community Planner
Dale Hutchinson, Housing Svcs. Bureau
Marcia Gold, Minutes Clerk

P L E D G E O F A L L E G I A N C E

The pledge of allegiance was led by Commissioner Sramek.

S W E A R I N G O F W I T N E S S E S

P R E S E N T A T I O N

1. Policy Review Related to Condominium Conversions

Steve Gerhardt, Community Planner, presented a summary of the City's condominium conversion regulations and research conducted.

Angela Reynolds outlined how the City conditions the applications to ensure that promised upgrades were delivered.

In response to a query from Commissioner Winn about the speed of the application process, Carolyn Bihn remarked that the County

of Los Angeles had a large backlog checking the final map part of the application which slowed down the conversion and sales process for everyone. Commissioner Winn commented that in spite of State law requiring a public hearing traditionally handled by the Commission, he would prefer to bypass that kind of rubber stamp process, and Ms. Reynolds, noting that other cities had developed an administrative-type approval for this type of conversion, said staff would look into that idea.

Commissioner Sramek suggested an annual review of the City's policy to ensure that affordable rentals would not be depleted by conversions.

Cheryl Vargo, SUBTEC, 5147 W. Rosecrans, Hawthorne, subdivision consultants, stated that the total process took about 18 months at this time, and that lending standards of Fannie Mae and large institutions required 70% home ownership of the final project.

Ralph Tsong, Legal Aid Foundation attorney, 110 Pine Avenue #420, said he felt renters in converting buildings did not receive enough notice to vacate in a timely manner or enough priority to purchase the unit if they so desired.

Ms. Bihn pointed out that the City required three notices and staff reports be given to all such tenants as notification over the course of the conversion, plus six other notices which were sent during the process of final map preparation.

Suzanne Browne, attorney, 110 Pine Avenue, #420, said she thought there should be more renter and affordable housing protection in the ordinance plus a multi-lingual noticing requirement.

Ronald Warrecker, RV Pearsall Inc., 1460 E. 28th Street, Signal Hill, said he prepared condominium conversion maps and claimed that the City approval process was quick and that he heard the Public Works department will be starting to check the maps again.

Gary Flint, 1701 Freeman Avenue, commented that the two-on-a-lot condominium conversion process was easier than the traditional multi-unit project.

Katie Della Donna, 3540 Lemon, said she had personal experience in paying out relocation fees to residents claiming to be low-income but who actually weren't, and she wanted to see a better way of enforcing and determining this standard.

Dale Hutchinson, Housing Services Bureau, stated that the relocation fee application was income-based, not equity-based.

Bill Lorbeer, 5320 E. 2nd Street, noted that the condominium conversions increased the City's tax base and said he thought the program should continue without any additional restrictions since it was an already burdensome one for developers who were having a harder and harder time finding appropriate properties.

Charley Legeman, 3580 E. Pacific Coast Hwy., #7, real estate agent, expressed support for the conversion process, noting that in his experience the units came to market at below median housing prices.

Adrienne Bridges, 100 Oceangate #1200, said she did not mind paying relocation benefits to tenants normally not qualified under low-income guidelines.

Amit Weinberg, 3029 E. Ocean Blvd., contractor, agreed that upgrade requirements should not be increased since the process tended to be market-driven, and higher quality conversions were always more attractive to a buyer.

Richard Williamson, 5540 7th Street, real estate attorney, said he felt the required noticing process was actually burdensome and many tenants didn't respond to the multiple mailings, even if sent by certified mail. He agreed with Mr. Weinberg that the free market should determine the level of required improvements.

Greg Sharp, 1151 Dove Street #245, Newport Beach, professional condominium converter, added that he felt required relocation benefits left a typical tenant in a better situation than before.

Chris Christensen, 4817 Palm Avenue Suite I, La Mesa, said the most important issues were to return the map checking process to the City and to use the conversion process as a redevelopment tool.

Commissioner Sramek said he felt the City was doing a good job in the area of condominium conversions with no changes seen for the immediate future, and he moved to receive and file the report and direct staff to continue to monitor conversion cases and return with an update in Winter 2007.

Commissioner Greenberg said he felt it was time to review the standards both from the developer's and tenant's points-of-view, but felt that the City was on the right track with minor tweaking of the regulations.

Commissioner Greenberg then seconded the motion, which passed 5-0. Commissioners Gentile and Rouse were absent.

C O N S E N T C A L E N D A R

Commissioner Winn moved to approve the Consent Calendar as presented by staff. Commissioner Stuhlbarg seconded the motion, which passed 5-0. Commissioners Gentile and Rouse were absent.

2a. Case No. 0512-12, Tentative Tract Map No. 063802, CE 05-265

Applicant: Nady Hebish c/o Kenneth Davis
Subject Site: 1055 Orizaba Avenue (Council Dist. 4)
Description: Request for approval of Tentative Tract Map No. 063802 to convert twenty-three residential dwelling units to condominiums.

Continued to the March 2, 2006 meeting.

2b. Case No. 0511-03, Tentative Tract Map No. 063074, CE 05-215

Applicant: Keith Moler c/o SNT Capital Partners
Subject Site: 1101-1121 Gaviota Ave. (Council District 2)
Description: Request for approval of Tentative Tract Map No. 065074 to convert twenty-seven residential dwelling units of an existing apartment building into condominiums.

Approved Tentative Tract Map No. 065074 subject to conditions.

2c. Case No. 0511-182, Tentative Tract Map No. 063640, CE 05-237

Applicant: Molino Partners LLC
 c/o Robert Vargo of SUBTEC
Subject Site: 1140 & 1148 Molino Ave. (Council Dist. 4)
Description: Request for approval of Tentative Tract Map No. 063640 to convert sixteen residential dwelling units in two adjacent apartment buildings into condominiums.

Approved Tentative Tract Map No. 063640 subject to conditions.

**2d. Case No. 0511-07, Tentative Tract Map No. 064961,
CE 06-15**

Applicant: Almond Avenue Partners LLC
c/o Scott Ayres
Subject Site: 453 Almond Avenue (Council District 2)
Description: Request for approval of Tentative Tract Map
No. 064961 to convert eight residential units of an
existing apartment building into condominiums.

Approved Tentative Tract Map No. 064961 subject to conditions.

**2e. Case No. 0511-08, Tentative Tract Map No. 065076,
CE 05-219**

Applicant: T&G Homes LLC c/o Tom Wurzi, representative
Subject Site: 310 Olive Avenue (Council Dist. 1)
Description: Request for approval of Tentative Tract Map
No. 065076 to convert six residential dwelling units of an
existing apartment building into condominiums.

Approved Tentative Tract Map No. 065076 subject to conditions.

C O N T I N U E D I T E M S

3. Case No. 0511-23, Conditional Use Permit, CE 05-279

Applicant: Nextel Communications, Inc.
Edward Gala, representative
Subject Site: 5000 Lew Davis Street (Veterans Stadium)
(Council District 5)
Description: A Conditional Use Permit to construct and
maintain a 55' foot high non-stealth, ground-mounted
cellular and personal communication services facility,
consisting of 12 panel antennas and ground-mounted
accessory equipment.

Lemuel Hawkins presented the staff report recommending denial of the request since staff felt the applicant could co-locate on an existing Cingular monopole with less visual impact to surrounding areas.

Ed Gala, Sprint/Nextel, 310 Commerce, Irvine, 92602, stated that they were unable to co-locate on the existing monopole since that facility was not permitted and possibly not legal. Mr. Gala added that Long Beach City College wanted Nextel to install the

monopole for use as an additional light standard for their parking lot.

Mr. Hawkins agreed that the existing Cingular monopole had been constructed without permits, as was a common practice when such sites were located on school property, since schools are exempt from local jurisdiction for school purposes, but that Nextel could not do the same since their use was not exempt.

Commissioners Greenberg and Winn suggested that the two business entities meet and return to the Commission with proof of their absolute inability to co-locate, or with another solution to the problem.

Commissioner Greenberg moved to continue the item to the April 20, 2006 meeting to allow the applicant time to work with Long Beach City College and have them coordinate co-locating with Cingular on the existing monopole. Commissioner Winn seconded the motion, which passed 5-0. Commissioners Gentile and Rouse were absent.

R E G U L A R A G E N D A

4. Case No. 0510-06, GPC 2-16-05, General Plan Conformity Finding for Alley Vacation, Site Plan Review, Standards Variance, ND 27-05

Applicant: Ralph's Grocery Store
 c/o Dave Street, Perkowitz & Ruth Architects
Subject Site: 2930 E. 4th Street (Council District 7)
Description: Request for approval of a General Plan Conformity finding for Alley Vacating, Site Plan Review and Standards Variance for a one-story, 8,400 sq.ft. addition and remodel of a Ralph's grocery store, and Standards Variance requests for a 9' building setback along Gladys Avenue to provide less than code-required parking, and to provide 13 compact parking spaces.

Lynette Ferenczy presented the staff report recommending approval of the requests since the proposed addition and remodel would significantly improve the appearance of the store and the new design would be more consistent with the historic nature of the surrounding neighborhood without causing any adverse impacts. Ms. Ferenczy noted the addition of a condition regarding delivery trucks.

Vasily Padadatos, 2930 E. 4th Street, project architect, stated that Ralphs was seeking to upgrade the store.

Jeff Guth, 81 Argonne, Kroger Foods representative, added that they were upgrading to serve the growing neighborhood.

Edna Goodwin, 373 Gladys Avenue, expressed concern about the loss of the alley and potential noise and trash problems, but admitted she had not discussed these issues with the applicant.

Wayne Dziergo, 387 Gladys Avenue, adjacent neighbor, said he felt anything Ralphs did would be an improvement to the neighborhood but he wanted to make sure Gladys remained residential and did not attract additional commercial traffic due to the project. Mr. Dziergo also stated that delivery trucks arrived at all times, and he felt they should be restricted to the conditioned hours. Applicant representative Guth stated that all unloading would be done inside the store through the enclosed dock to reduce noise.

In response to a query from Commissioner Greenberg regarding current trash problems in the parking lot, Mr. Guth explained that this was due to on-grade loading which would not be an issue in the new design.

In response to a query from Commissioner Sramek regarding conditioned hours of delivery, Mr. Guth promised to exert control over their vendors to address the problem.

In response to a request from Commissioner Winn, Mr. Guth said he would designate an official representative from the market to handle neighborhood complaints and concerns.

Commissioner Stuhlbarg moved to find the proposed alley vacation south of 4th Street between Gladys Avenue and Orizaba Avenue as depicted in Exhibit A in conformance with the adopted goals and policies of the City's General Plan; and to approve the Site Plan Review and Standards Variance requests, subject to amended conditions, including a requirement for a posted exterior sign with manager contact numbers and truck access conditions. Commissioner Sramek seconded the motion.

Mr. Guth accepted the amended conditions.

The question was called and the motion passed 5-0. Commissioners Gentile and Rouse were absent.

5. Case No. 0507-22, Standards Variance, Local Coastal Development Permit, CE 05-127

Appellant: Mark Malan
Subject Site: 2533 E. 2nd Street (Council District 3)
Description: Appeal of the Zoning Administrator's decision to deny a Local Coastal Development Permit and Standards Variances for an accessory structure located in the front yard setback that exceeds the allowable height and floor area.

Jayne Mekis presented the staff report recommending sustaining the decision of the Zoning Administrator since the proposed building would have a negative visual impact on Broadway and in particular on the single-family residence to the east and is closer than any other area building to the setback; because there is sufficient room on the site to relocate the proposed structure to a more suitable location; and since the site already has an existing garage and accessory structure.

Mark Malan, 2533 E. 2nd Street, appellant, claimed the Cultural Heritage Commission approved the proposed design, and added that he felt the site was unique and he enjoyed the support of his neighbors. Mr. Malan also presented an area plan showing similar structures in the area and said he could add car lifts to meet parking requirements.

Ms. Bihn pointed out that the applicant enjoyed the equivalent of two front yards since the house faced both streets, and with available space on the lot, Mr. Malan could easily site the accessory structure elsewhere. Ms. Bihn added that the appellant was requesting a two-story accessory structure which was not permitted in this situation.

Commissioner Sramek declared that he had visited the site and thought the planned addition would severely compromise the neighbor's safety by limiting visibility upon exiting their property.

Roger Peter Porter, 3837 E. 7th Street, appellant representative, said the appellant was surrounded by tall buildings, and that their plan called for a corner cutoff that exceeded requirements.

Commissioner Winn and Ms. Bihn suggested exploring alternative locations for the structure, but Mr. Malan said he was not interested in compromising or changing the design.

Commissioner Sramek moved to continue the item to the March 16, 2006 meeting to allow the appellant time to change his plan to meet the needs of the site while staying within building regulations. Commissioner Greenberg seconded the motion, which passed 5-0. Commissioners Gentile and Rouse were absent.

M A T T E R S F R O M T H E A U D I E N C E

There were no matters from the audience.

M A T T E R S F R O M T H E D E P A R T M E N T O F P L A N N I N G A N D B U I L D I N G

Regarding the Sports Park, City Attorney Mais stated that the Recreation Committee had called for removal of the golf training facility and one soccer field, which added ten acres of passive open space to the certified plan.

M A T T E R S F R O M T H E P L A N N I N G C O M M I S S I O N

There were no matters from the Planning Commission.

A D J O U R N

The meeting adjourned at 4:22pm.

Respectfully submitted,

Marcia Gold
Minutes Clerk